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NRC INITIATES REVIEW OF PUBLIC PETITION PROCESS

The Nuclear Regulatory Commission is initiating a review of its regulations and practice governing the formal process by which members of the public may request agency review of a potential problem with a NRC licensee outside of a formal, agency-initiated licensing or rulemaking proceeding.

The process is known as the 2.206 petition and the requirements governing the process are contained in Part 2 of the Commission's regulations. Under these requirements, any person may file a petition to request that the agency institute a proceeding to modify, suspend or revoke a license, or for such other action as may be proper.

The petition then must be reviewed by the appropriate Director of a major program office who will decide to initiate the requested proceeding or issue a formal Director's decision providing a specific disposition of the issues raised in the petition. If the Director finds that the petition raises a substantial safety question, an enforcement action or other appropriate action is taken.

This process has not been re-examined in any systematic way since the provision was added to the Commission's regulations in 1974. Since then, it has been the subject of longstanding criticism by citizens' groups and by some members of Congress, mainly because most of the petitions received have been denied.

Accordingly, the purpose of this evaluation, which is consistent with the Commission's current efforts to enhance public participation in its decision-making process, is to see what steps, if any, can be taken to ensure that the 2.206 process is an effective, equitable and credible mechanism for the public to prompt agency investigation and resolution of potential health and safety problems. In addition, given the reality of shrinking rather than expanding resources, the Commission believes that this evaluation also must consider how to achieve a more effective process with equal or fewer resources.

The first step in this review of the 2.206 process will be a public workshop where participants from citizen's groups, industry and government can exchange information on the objectives of the 2.206 process, its effectiveness and what, if any, revisions should be made in the process. The workshop will be held on July 28 in the Holiday Inn at 8120 Wisconsin Avenue in Bethesda, Maryland. It will begin at 8:45 a.m. and is scheduled to end at 5:15 p.m.

Discussions at the workshop will focus on the agenda items published in the Federal Register on June 28 and an issues paper which will be provided to potential participants and will be available at the workshop. Copies also can be obtained by contacting Francis Cameron, Office of the General Counsel, Nuclear Regulatory Commission, Washington, D.C. 20555; telephone 301/504-1642.

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